

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN W. WITTMAN, on behalf of the Voith
Retirement Savings Plan for Bargaining Unit
Employees and all other similarly situated
ERISA-covered employee pension benefit
plans,

Plaintiff,

vs.

NEW YORK LIFE INSURANCE
COMPANY,

Defendant.

Civil Action No. 15-cv-9596 (AKH)

CLASS ACTION COMPLAINT

USDC SDNY

DOCUMENT

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STIPULATION OF DISMISSAL WITHOUT PREJUDICE

In accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff John W. Wittman and Defendant New York Life Insurance Company (the "Parties") stipulate to the dismissal of the action without prejudice. Each party shall bear its own costs, expenses and attorneys' fees.

Dated: November 29, 2016

Respectfully submitted,

PLAINTIFF JOHN W. WITTMAN

/s/ Robert A. Izard

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So Ordered
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**DEFENDANT NEW YORK LIFE
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\s\ Mark B. Blocker

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